

Baker & Hostetler LLP

45 Rockefeller Plaza
New York, New York 10111
Telephone: (212) 589-4200
Facsimile: (212) 589-4201

*Attorneys for Irving H. Picard, Trustee
for the Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

NO. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

FEDERICO CERETTI, ET AL.

Defendants.

Adv. Pro. No. 09-1161 (SMB)

**STIPULATION AND ORDER EXTENDING TIME TO FILE OPPOSITION TO
MOTION TO DISMISS AND REPLY IN SUPPORT OF MOTION TO DISMISS AND
RESCHEDULING THE HEARING DATE**

Irving H. Picard, as trustee (the “Trustee”) for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa *et seq.*, and the estate of Bernard L. Madoff, individually, and Kingate Global Fund, Ltd. (“Kingate Global”) and Kingate Euro Fund, Ltd. (“Kingate Euro” and collectively with Kingate Global, the “Kingate Funds”), acting through their respective joint liquidators (collectively, the “Joint Liquidators”), by and through their respective counsel, hereby stipulate and agree as follows:

WHEREAS, on March 17, 2014, the Trustee was granted leave to file and filed a Fourth Amended Complaint; and

WHEREAS, on July 18, 2014, the Joint Liquidators filed a Notice of Motion to Dismiss (“MTD”) the Fourth Amended Complaint with responses or objections to the MTD due on September 19, 2014 and with replies to any objections due on October 31, 2014. A hearing to consider the MTD was scheduled to be held before the Honorable Stuart M. Bernstein, in the United States Bankruptcy Court for the Southern District of New York (the “Court”), One Bowling Green, New York, New York 10004, on November 19, 2014, at 10:00 AM; and

WHEREAS, the parties have agreed to the following dates by which the Trustee may file his opposition to the MTD, and the Joint Liquidators may reply in support of the MTD;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED BY AND BETWEEN THE TRUSTEE AND THE JOINT LIQUIDATORS:

1. The time by which the Trustee may submit any opposition to the MTD is extended to Tuesday, October 14, 2014. The time by which the Joint Liquidators may submit any reply brief in support of the MTD is extended to Tuesday, November 25, 2014. These extensions are without prejudice to the parties agreeing to further extensions.

2. The hearing before the Court to consider the relief requested in the MTD is rescheduled to December 17, 2014, at 10:00 AM.
3. The Joint Liquidators, having previously waived any objections to the sufficiency of service or process on the Kingate Funds' behalf, reserve all other defenses to the Fourth Amended Complaint and all other rights they may have in this action.
4. The Trustee reserves all rights and defenses he may have in this action, and entry into this stipulation shall not impair or otherwise affect any such rights.

Dated: August 19, 2014
New York, New York

BAKER & HOSTETLER LLP

By: /s/ David J. Sheehan

David J. Sheehan

dsheehan@bakerlaw.com

Geraldine E. Ponto

gponto@bakerlaw.com

Anthony M. Gruppuso

agruppuso@bakerlaw.com

45 Rockefeller Plaza

New York, New York 10111

Telephone: (212) 589-4200

Facsimile: (212) 589-4201

*Attorneys for Irving H. Picard, Trustee for
the Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and the estate of Bernard L. Madoff*

Dated: August 19, 2014
New York, New York

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

By: /s/ Robert S. Loigman
Robert S. Loigman
robertloigman@quinnemanuel.com
Susheel Kirpalani
susheelkirpalani@quinnemanuel.com

51 Madison Avenue, 22nd Floor
New York, New York 10010
Telephone: (212) 849-7000
Facsimile: (212) 849-7100

*Attorneys for the Joint Liquidators of Kingate
Global Fund, Ltd. and Kingate Euro Fund, Ltd.*

SO ORDERED this 19th day of August, 2014

/s/ STUART M. BERNSTEIN
HONORABLE STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY COURT JUDGE